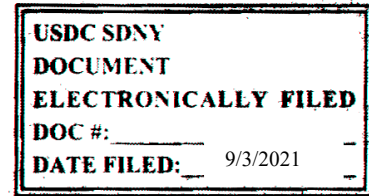


**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X



**MILTON SIMON,**

**Plaintiff,**

**18-CV-12063 (JPC) (SN)**

**-against-**

**ORDER OF SERVICE**

**C.O. JOHN DOE, et al.,**

**Defendants.**

-----X

**SARAH NETBURN, United States Magistrate Judge:**

Under Valentin v. Dinkins, a *pro se* litigant is entitled to assistance from the district court in identifying a defendant. 121 F.3d 72, 76 (2d Cir. 1997). By order dated July 12, 2019, the Court directed the New York City Law Department to identify, among other things, the correction officers on duty on 1 Upper Posts A and B at approximately 6:00 a.m. on August 22, 2016. See ECF No. 17.

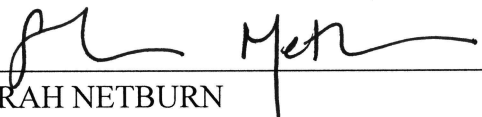
On September 27, 2019, the New York City Law Department identified the two correction officers assigned to 1-Upper A- and B- Posts and provided addresses for service. ECF No. 24.

Accordingly, the Court directs the Clerk of Court, under Rule 21 of the Federal Rules of Civil Procedure, to amend the caption of the Complaint to replace Defendant “C.O. John Doe 1-Upper A-Post,” with Correction Officer M. Mills, Shield No. 12031, and “C.O. John Doe 1-Upper B-Post” with Correction Officer A. Alvarez, Shield No. 12053. This amendment is without prejudice to any defenses these Defendants may wish to assert.

The Clerk of Court is directed to electronically notify the New York City Department of Correction and the New York City Law Department of this order. The Court requests that

Defendants M. Mills, Shield No. 12031, and A. Alvarez, Shield No. 12053 waive service of summons. The Clerk of Court is respectfully directed to mail a copy of this Order to the *pro se* Plaintiff.

**SO ORDERED.**

  
\_\_\_\_\_  
SARAH NETBURN  
United States Magistrate Judge

DATED: September 3, 2021  
New York, New York